

DRAFT – VERSION C
(RENTAL RATE FOR REIMBURSEMENT)
Airplane Subpolicy Statement – January 17, 2006

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11. Reporting Travel Related Expenditures:

A. Expenditures for travel relating to the election of a statewide or legislative office candidate shall be considered a direct campaign expense and be reported by the candidate's authorized committee as expenditures, except as provided by A.R.S. § 16-901(5)(b)(iv). (~~Campaign staff or volunteers~~ Volunteers traveling with a candidate, may choose to pay their own traveling expenses, which shall not be considered a contribution to the candidate.) For a trip that is entirely campaign-related, the total cost of the trip shall be a direct campaign expense and a reportable expenditure.

1. Travel expenses of a candidate's spouse and immediate family when accompanying the candidate on campaign-related travel shall be treated as direct campaign expenses and reportable expenditures if the spouse or immediate family members conduct campaign-related activities.

~~2. If the trip is by charter airplane, the actual cost for each passenger shall be determined by dividing the total operating cost for the charter by the total number of passengers transported. The amount that is a direct campaign expense and a reportable expenditure shall be calculated on the basis of the actual cost per passenger multiplied by the number of passengers traveling for campaign purposes.~~

~~B. For travel by airplane, an itinerary shall be prepared and made available for Commission inspection. The itinerary shall show the time of arrival and departure, the type of events held, a list of all passengers on the trip, and whether the pilot(s) was compensated or volunteering his or her services.~~

~~(Adopted April 30, 2002-), Revised January x, 2006)~~

12. Allocation of Campaign Expenses Between Campaign and Non-Campaign Related Travel.

~~A. A.~~ This policy applies to allocation for expenses between campaign and non-campaign related travel with respect to ~~campaigns of~~ candidates running for statewide and legislative offices.

~~Where a candidate's trip involves both campaign-related and non-campaign-related stops, the expenditures allocable for campaign purposes are reportable shall be reported, and are calculated on the actual cost per mile of based on~~ the means of transportation actually used (see Substantive Policy Statement #13), starting at the point of origin of the trip, via every campaign-related stop and ending at the point of origin. For a trip that includes campaign-related and non-campaign related stops, that portion of the cost of the trip allocable to campaign activity shall be a direct campaign expense and a reportable expenditure. Such portion shall be determined by calculating what the trip would have cost from the point of origin of the trip to the first campaign-related stop and from the stop through each subsequent campaign-related stop back to the point of origin. If any campaign activity, other than incidental contacts, is conducted at a stop, that stop shall be considered campaign-related. Campaign activity includes soliciting, making, or accepting contributions, and expressly advocating the election or defeat of the candidate. Other factors, including the setting, timing and statements or expressions of the purpose of an event, and the substance of the remarks or speech made, will also be considered in determining whether a stop is campaign-related.

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- B. Where a candidate or the candidate's committee conducts any campaign-related activity with other candidates, ~~the portion of the trip attributed to each candidate shall be allocated on a reasonable basis~~ this shall be considered a joint expenditure pursuant to R2-20-703(C) and each candidate shall pay their proportionate share of the cost. (Adopted April 30, 2002-, Revised January x, 2006)

13. Use of Privately-Owned Airplanes; Motor Vehicle; Accommodations.

In all situations, a candidate committee who uses airplane travel as a direct campaign purpose must report the expenditure or report the value of the in-kind contribution for the travel. In-kind contributions shall not exceed the individual or personal contribution limits.

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- A. A candidate who owns a private airplane and uses it for campaign purposes shall be reimbursed by the campaign at the current airplane rental rate plus applicable incidental fees for gas, holding fees, etc... for the current publicly available retail rental rate of the actual model of airplane used for travel. If the candidate is not able to be reimbursed for the actual use of the aircraft, then the payment shall be remitted to the Clean Elections Fund.

- B. A volunteer who owns a private airplane and donates the use of it to a campaign shall be reimbursed at the current airplane rental rate plus applicable incidental fees for gas, holding fees, etc... for the current rental rate of the actual model of airplane used for travel. If the volunteer is not able to accept payments for the actual use of the aircraft, then the payment shall be remitted to the Clean Elections Fund. A volunteer pilot may choose to donate the use of travel time without requiring compensation. The itinerary required to be prepared for all campaign travels via private aircraft shall note whether a pilot was either compensated or volunteering a personal service.

- C. A candidate, candidate's agent or person traveling on behalf of a candidate who uses a chartered, rented, or commercial airplane shall pay the actual cost for that service. Rental and chartered airplanes shall include any additional incidental costs including hourly flight rates, hourly holding fee, any ramp, handling, catering, and taxes, if applicable.

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1. If the trip is by charter airplane, the actual cost for each passenger shall be determined by dividing the total operating cost for the charter by the total number of passengers transported. The amount that is a direct campaign expense and a reportable expenditure shall be calculated on the basis of the actual cost per passenger multiplied by the number of passengers traveling for campaign purposes.

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- D. A candidate that uses a state aircraft for campaign purposes shall reimburse the State at the state mileage reimbursement rate for airplane travel allocable to the campaign. If the State is unable to accept the payment, the payment shall be remitted to the Clean Elections Fund.

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- E. For travel by airplane, an itinerary shall be prepared and made available for Commission inspection. The itinerary shall show the time of arrival and departure, nautical mileage, the type of events held, a list of all passengers on the trip, and whether the pilots were compensated or volunteering their services. If payment amounts are based on current publicly available retail rental rates, the itinerary shall include the date of travel and identify what services were used for reference.

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- F. The state reimbursement rate for the 2006 election cycle is 99.5 cents per nautical mile. For calculations, 1 nautical mile is equal to 1.1508 miles.

G. Aircraft that is being used for banner towing, skywriting, or other means of communication which include express advocacy shall not fall under the provisions of this policy.

~~A candidate, candidate's agent, or person traveling on behalf of a candidate who uses an airplane that is owned or leased by the candidate, another person, or charter airplane company shall reimburse the owner or leaseholder for the value of the travel and report the expenditure, or report the value of the in-kind contribution for the travel:~~

- ~~1. In the case of travel to a city served by regularly scheduled commercial service, then the lowest non-discounted coach airfare; or~~
- ~~2. In the case of travel to a city not served by a regularly scheduled commercial service, the charter rate comparable to the service provided under existing Arizona state contracts with charter airplane companies. Those amounts are available attached.~~

~~In all situations, a candidate's campaign must reimburse the owner or leaseholder for the use of an airplane. A pilot may donate the use of his or her time without requiring compensation. The itinerary required to be prepared for all campaign travels via private aircraft shall note whether the pilots were compensated or volunteers.~~

H.B. A candidate, candidate's agent, or person traveling on behalf of a candidate who uses a motor vehicle, which is owned or leased by the candidate or another person or organization, must reimburse the candidate, person or organization respectively at the normal and usual rental charge of the transportation. The normal and usual reasonable rental charge shall be at least 10¢ per mile, which shall be paid from the candidate's campaign account. If the candidate fails to reimburse the owner or leaseholder for the use of the motor vehicle within 30 calendar days of the travel, then the value of the use of the motor vehicle is an in-kind contribution to the candidate's campaign and shall be assessed as the per mile reimbursement amount allowed to state employees at the time by the Arizona Department of Administration.

I.C. If any individual, including a candidate, uses accommodations, including lodging and meeting rooms, during campaign-related travel, and the accommodations are paid for by another person, the candidate's authorized committee shall pay the person an amount equal to the usual and normal charge for the accommodations, and shall maintain documentation supporting the amount paid.

CHARTER AIRPLANE RATES ON ARIZONA STATE CONTRACT

~~Commission staff researched both state and federal travel law to arrive at its recommendation for travel policies. State employees that choose to travel in state via aircraft must arrange their own travel through one of the private charter flight companies that is on contract with the State Procurement Office. Staff contacted two of these aircraft charter companies to determine a reasonable range of cost for airline travel, and gathered the following information:~~

~~In general, aircraft charter companies charge an hourly flight rate, an hourly holding fee, any applicable ramp, handling and catering fees, and applicable tax.~~

~~Staff used Federal regulations for candidates for federal elections to determine reimbursement procedures for the use of a privately owned airplane. Staff also used these regulations to determine travel documentation requirements for candidates and the procedure for determining the cost per person. (Adopted April 30, 2002, updated August 2003, revised January x, 2006)~~